

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
INVITATION FOR BID (IFB)

BID OPENING: NOT LATER THAN 2:00 P.M., LOCAL TIME, TUESDAY, August 2nd, 2016

SEALED BID RESPONSES are invited to be delivered to the District at the said hour and date for the following articles or services and under the conditions stated below. Bid response shall be submitted to either of the following addresses:

For Special Delivery or Hand Delivery:

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
300 Lakeside Drive, 17th Floor
Oakland, CA 94612-3534

Refer questions to: Robert Cifelli, Buyer Tel. No.: (510) 464-6357
Email: rcifell@bart.gov

THIS IS NOT AN ORDER!

ADVERTISED DATE: July 11, 2016

RC

			<p>Interlocking Track Components</p> <p>ITEM TOTAL FROM PAGE 2: The Item total is provided by the Bidder for the convenience of the District. The District will, however, recalculate the Item Total and award the Contract on the basis of the Unit Price bid. Should there be a discrepancy between the Item Total and Unit Price, Unit Price will govern.</p>	<p>\$ <u>308,665</u></p>
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Submission of a bid constitutes bidder's acceptance of the General Provisions and Special Provisions contained herein as well as the Contract Documents, which include all documents listed in the Table of Contents of this IFB.

DELIVERY: BART
LOCATION: 951 Whipple Road
Hayward, CA 94544

F.O.B Point DESTINATION

Name (Print) Robert E. Powell

Signature *Robert E. Powell*

Company Progress Rail Services Corporation

Address 1600 Progress Drive

City Albertville

State Alabama Zip Code 35950

Email mloadman@progressrail.com

Fax No. 256-505-6460 Tel. No. 502-592-2315

Submit proposal on Bid Form.

DO NOT INCLUDE excise or sales taxes in price.

Handwritten initials

SAN FRANCISCO BAY AREA
RAPID TRANSIT DISTRICT

ITEM NO.	QUANTITY	UNIT	DESCRIPTION	BIDDERS USE THIS COLUMN FOR PRICING	
				Unit Price	Item Total
1	2	ea.	#10 RBM Frogs per Drawing "Track Standard, No. 10 Railbound Manganese Insert Steel Frog for Welded Turnout" Sheet # ST616-0	\$ <u>12,300</u>	\$ <u>24,600</u>
2	1	lot	Wooden Block Douglas Fir Creosoted Ties per "Custom Tie Block Order M55"	\$ <u>65,090</u>	\$ <u>65,090</u>
3	8	ea.	Allegheny Insulated Joints 39"	\$ <u>1,700</u>	\$ <u>13,600</u>
4	4	ea.	Plate Packages per Drawing "Track Standard, Heel Plates, Slide Plates and Runoff Plates for Turnout No's 10, 15, & 20, 119 RE Rail" Sheet # ST531-00, "Track Standard Adjustable Rail Brace Assembly, 119 RE & 90RA-A Rail" Sheet # ST503-0, "Track Standard, Hook Twin Plates" Drawing # ST506-0, "Track Standard, Insulated Gauge Plate, No. O-G, 119 RE Rail" Drawing # ST 529-0 and "Track Standard Insulated Gauge Plates, No 1-G & No. 2-G 119 RE Rail", Drawing # ST530-0.	\$ <u>9,680</u>	\$ <u>38,720</u>
5	2	ea.	Switch Rod Set per BART Facilities Standards Civil Standard Plans "119 RE Switch Rod Assemblies, Sheet # Y062, Rev 00.	\$ <u>2,475</u>	\$ <u>4,950</u>
6	1	ea.	Diamond- 4 Frogs per BART Facilities Standards Civil Standard Plans "11 26'58" Crossing Diamonds, Sheet # Y051, Rev 00.	\$ <u>151,485</u>	\$ <u>151,485</u>
7	4	ea.	19' 6" Switch Point per "BART 19'-6" Samson Switch Points for #8 & #10 Turnouts Jointed Standard Graduated Risers-119 RE Rail", Drawing # 108485, Rev 00.	\$ <u>1,690</u>	\$ <u>6,760</u>
8	4	ea.	39' Stock Rail per "BART 39'-0" Universal Stock Rails for 19'-6", 26'-0" & 39'-0" Samson Switch Points-119 RE Rail", Drawing # 108473, Rev 00.	\$ <u>865</u>	\$ <u>3,460</u>

Progress Rail Services Corporation
(Company Name)

SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT
CERTIFICATION REGARDING FINANCIAL CONTRIBUTIONS

(Submit with Bid)

Certification to be executed by Bidder and each proposed first-tier Subcontractor or Subsupplier whose Subcontract exceeds \$100,000. Make additional copies of the Certification as necessary.

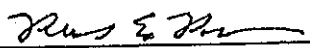
Bidder must use its best efforts to collect the Certification from each first-tier subcontractor or subsupplier whose subcontract exceeds \$100,000 and submit such Certifications along with its own to the District on the Bid date.

Bidder is advised that all Certifications must be submitted on the Bid date unless there is reasonable cause for delay; however, Bidder is cautioned that unless all Certifications are submitted within five (5) Days after the date Bids are due, the Bid may be considered non-responsive.

The undersigned certifies that:

1. It will not make any monetary or in-kind contribution (including loans) to any BART Director, or any candidate for Director, in excess of \$1,000 from the date Bids are opened by the District until the Award of the Contract.
2. It understands that the term "contribution" shall have the same meaning as defined in Government Code Section 82015 and implementing regulations adopted by the Fair Political Practices Commission.

Progress Rail Services Corporation
Name of Firm

 7/26/2016
Signature Date

Robert E Powell Vice President
Print Name and Title



FAIR EMPLOYMENT PRACTICES CERTIFICATION

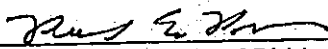
TO THE SAN FRANCISCO BAY AREA RAPID TRANSIT DISTRICT

The undersigned in submitting a Bid for performing the following work by Contract, hereby certifies that it has or will meet the standards of affirmative compliance with the Fair Employment Practices Requirements of the Contract.

IFB NO. 9013

Interlocking Track Components

Progress Rail Services Corporation
Name of Bidder

By: 
Signature of Bidder

Robert E Powell Vice President
Print Name and Title of Person Signing

1600 Progress Dr. Albertville, AL 35950
Business Address

Albertville, AL
Place of Residence



DESIGNATION OF SUBSUPPLIERS, DBEs, AND SBEs FORM

All first-tier Subsuppliers to be used must be listed on this form regardless of dollar value of each transaction.

To assist the District in evaluating DBE and SBE participation, Bidder shall list on this form the name and address of all first-tier Subsuppliers to whom Bidder proposes to subcontract. Bidder shall indicate description, and total dollar amount of the portions of the work or services subcontracted.

In the columns provided for DBE and for SBE designation, indicate if the Subcontractor listed is a DBE and/or an SBE as defined in the Special Provision B.

Attach additional copies of this form if more space is needed and paginate the forms (i.e., Page __ of __).

Name and Address	DBE (Check if DBE) and Insert DBE Cert. No.	SBE (Check if SBE) and Insert SBE Cert. No.	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
I. All first-tier Subsuppliers (DBEs, Non-DBEs, and SBEs).				
Name: _____ _____ Address: _____ _____ Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		
Name: _____ _____ Address _____ _____ Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		
Name: _____ _____ Address _____ _____ Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		

Name and Address	DBE (Check if DBE) and Insert DBE Cert. No.	SBE (Check if SBE) and Insert SBE Cert. No.	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
II. Subsuppliers who are: Manufacturers (100% credit).				
Name: _____ _____ Address: _____ _____ Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		
Name: _____ _____ Address: _____ _____ Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		
Name: _____ _____ Address: _____ _____ Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		
Name: _____ _____ Address: _____ _____ Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		

Name and Address	DBE (Check if DBE) and Insert DBE Cert. No.	SBE (Check if SBE) and Insert SBE Cert. No.	Description of Portion of Work or Services Subcontracted	Total Dollar Amount of Subcontracted Work or Services
III. Subsuppliers who are Regular Dealers: (If DBE or SBE Regular Dealers (60% credit). See Special Provision B 1.1.3 D.3 for definition of Regular Dealer).				
Name: _____ _____ Address: _____ _____ Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		
Name: _____ _____ Address: _____ _____ Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		
Name: _____ _____ Address: _____ _____ Phone Number: _____	DBE Cert. No. _____	SBE Cert. No. _____		

BIDDERS DBE AND SBE QUESTIONNAIRE

Is Bidder a DBE?
(See Special Provisions
B 1.1.1 for definition of DBE)

___ YES ☒ NO

CUCP Certified?

___ YES ☒ NO

If YES, enter Certification Date: _____

Is Bidder a BART Certified SBE?
(See Special Provisions B for definition of SBE)¹

___ YES ☒ NO

If YES, enter Certification Date: _____

Is Bidder a Joint Venture with DBE or SBE Partners?

___ YES ☒ NO

If YES, are Joint Venture Forms attached?

___ YES ☒ NO

Percentage (%) of DBE or SBE participation in joint venture: _____ %

¹ If the Bidder is a joint venture, only the portion of the total dollar value of the Contract equal to the distinct, clearly defined portion of the work that is performed solely by the DBE's or SBE's own forces can be counted toward DBE or SBE participation. If the work is not clearly delineated between the DBE and/or SBE and the joint venture partner, only the portion of the work equal to the DBE's and/or SBE's percentage ownership interest in the joint venture will be counted. See Special Provisions B 1.1.3

[Handwritten signature]

(Bidder's attention is directed to Special Provisions A 1.22 of the Contract, Certification Regarding Lobbying. The Certification shall be executed by the Bidder and by applicable Subcontractors or Subsuppliers of any tier receiving an amount in excess of \$100,000 and submitted by the Bidder either with the Bid or within the time frame specified in the Instructions to Bidders or before commencement of Subcontract work, as specified in the Instructions to Bidders.)

CERTIFICATION REGARDING LOBBYING

The undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of a Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal Contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including Subcontracts, subgrants, and contracts under grants, loans and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance is placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Section 1352, Title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Progress Rail Services Corporation
Name of Firm

By: Robert E Powell
Please print name of signator:



Title: Vice President



Buy America Certification Instructions.

Buy America Requirements. This Contract is subject to the "Buy America" requirements 49 USC § 5323(j), and 49 CFR Part 661, as may be amended from time to time, and applicable federal regulations. The following is a general summary of the "Buy America" provisions. It does not relieve the Bidder of the responsibility to comply with official interpretations of the cited statutes or any other governing regulation on the subject:

- A. All iron, steel and manufactured products used in this Contract must be produced in the United States unless an exception is granted by the Federal Transit Administration (FTA) or Paragraph D below applies.
- B. The Bidder whose Bid exceeds \$100,000 must execute the appropriate "Buy America" certification in the Bid Documents. Failure to do so will make the Bid non-responsive. **The two signature blocks on the Buy America Certificate(s) are mutually exclusive. Bidder shall sign only one signature block on the Certificate. Signing both signature blocks will make the Bid non-responsive.** A false certification is a criminal act in violation of 18 USC 1001.
 1. The Bidder who has submitted an incomplete "Buy America" certificate or incorrect certificate of non-compliance through inadvertent or clerical error (but not including failure to sign the certificate, submission of certificates of both compliance and non-compliance, or failure to submit any certification), may submit to the FTA Chief Counsel within ten (10) Days of Bid opening a written explanation of the circumstances surrounding the submission of the incomplete or incorrect certification in accordance with 28 USC §1746, sworn under penalty of perjury, stating that the submission resulted from inadvertent or clerical error. The Bidder will also submit evidence of intent, such as information about the origin of the product, invoices, or other working documents. The Bidder will simultaneously send a copy of this information to the District Secretary.
 2. The FTA Chief Counsel may request additional information from the Bidder, if necessary. The District may not make Contract Award until the FTA Chief Counsel issues his/her determination, except as provided in 49 CFR Part 661.15(m).
 3. Certification based on ignorance of proper application of the "Buy America" requirements is not an inadvertent or clerical error.
- C. A waiver from the "Buy America" provisions will be sought by the District from the FTA if the grounds for a waiver exist. The Bidder seeking a waiver must submit to the District a timely request in writing, which shall include the facts and justification to support the granting of the waiver. Such waiver from the "Buy America" provisions may be granted if the FTA determines that:
 1. Their application would be inconsistent with the public interest;
 2. Materials are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or
 3. Inclusion of domestic material will increase the cost of the overall Contract by more than 25 percent.
- D. In the case of the procurement of rolling stock (including train control, communication and traction power equipment), Paragraph A above does not apply if the cost of components which are produced in the United States is more than 60 percent of the cost of all components and final assembly takes place in the United States.
- E. Any party may petition the FTA to investigate a successful Bidder's compliance with the "Buy America" certification. The procedures are set out in 49 CFR Part 661.15. If the FTA determines the evidence indicates noncompliance, the FTA will require the District to initiate an investigation. The successful Bidder has the burden of proof to establish compliance with its certification. If the successful Bidder fails to so demonstrate compliance, the successful Bidder will be required to substitute sufficient domestic materials without revision of the original Contract terms. Failure to do so will be a breach of the Contract and may lead to the initiation of debarment proceedings under 49 CFR Part 29.

BUY AMERICA CERTIFICATE

Certification requirement for procurement of steel, iron, or manufactured products.

(Submit with Bid)

(Bidder's attention is directed to Special Provision A. This Buy America Certificate shall be executed by Bidder whose Bid exceeds \$100,000 and submitted with the Bid. Failure to do so will make the Bid non-responsive.)

NOTE: The two signature blocks below are mutually exclusive; Bidder shall sign only one signature block for either the Certificate of Compliance or the Certificate of non-Compliance. Signing both signature blocks shall make the Bid non-responsive.

Certificate of Compliance With 49 USC § 5323(j)(1)

The Bidder hereby certifies that it will comply with the requirements of 49 USC § 5323(j)(1), and the applicable regulations in 49 CFR Part 661.

Date 7/26/2016

Signature 

Company Name Progress Rail Services Corp.

Title Vice President



WARNING!!! BIDDER SHALL SIGN ONLY ONE CERTIFICATE - EITHER THE CERTIFICATE OF COMPLIANCE ABOVE OR THE CERTIFICATE OF NON-COMPLIANCE BELOW. SIGNING BOTH CERTIFICATES SHALL MAKE THE BID NON-RESPONSIVE.

Certificate of Non-Compliance With 49 USC § 5323(j)(1)

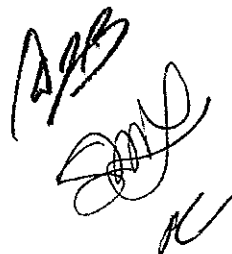
The Bidder hereby certifies that it cannot comply with the requirements of 49 USC § 5323(j)(1), but it may qualify for an exception to the requirements pursuant to 49 USC § 5323(j)(2)(B) or (j)(2)(D) and applicable regulations in 49 CFR Part 661.7.

Date _____

Signature _____

Company Name _____

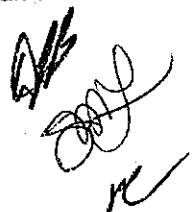
Title _____



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 1. The Bidder who has submitted an incomplete "Buy America" certificate or incorrect certificate of non-compliance through inadvertent or clerical error (but not including failure to sign the certificate, submission of certificates of both compliance and non-compliance, or failure to submit any certification), may submit to the FTA Chief Counsel within ten (10) Days of Bid opening a written explanation of the circumstances surrounding the submission of the incomplete or incorrect certification in accordance with 28 USC §1746, sworn under penalty of perjury, stating that the submission resulted from inadvertent or clerical error. The Bidder will also submit evidence of intent, such as information about the origin of the product, invoices, or other working documents. The Bidder will simultaneously send a copy of this information to the District Secretary.
 2. The FTA Chief Counsel may request additional information from the Bidder, if necessary. The District may not make Contract Award until the FTA Chief Counsel issues his/her determination, except as provided in 49 CFR Part 661.15(m).
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 1. Their application would be inconsistent with the public interest;
 2. Materials are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or
 3. Inclusion of domestic material will increase the cost of the overall Contract by more than 25 percent.
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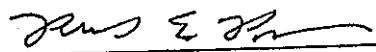


CERTIFICATION REGARDING DEBARMENT, SUSPENSION,
INELIGIBILITY AND VOLUNTARY EXCLUSION -
LOWER TIER COVERED TRANSACTIONS

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participation in this transaction by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Date: 7/28/2016

Progress Rail Services Corporation
Name of Proposer

By: 
Signature of Proposer

Robert E. Powell Vice President
Print Name and Title of Person Signing

